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Secretary  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable John C. Danforth  
United States Senate  
249 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Danforth:

Thank you for your letter on behalf of Darrel Rinne, General Manager, West Central Electric Cooperative, Inc., regarding implementation of the programming access provisions in the Cable Television Consumer Protection and Competition Act of 1992.

The 1992 Cable Act prohibits unfair or discriminatory practices in the sale of programming in order to foster the development of competition to cable systems by increasing access to programming by other multichannel video programming distributors. In the 1992 Cable Act, Congress instructed the Commission to adopt implementing regulations pertaining to program access. In accordance with the statute, the Commission invited comment on provisions that will govern access to multichannel video programming (Notice of Proposed Rulemaking in MM Docket No. 92-265, released December 24, 1992). In particular, we sought comment on proposed regulations to prohibit: (1) undue influence by cable operators upon actions by affiliated program vendors, (2) price discrimination by vertically integrated satellite cable programming vendors and satellite broadcast programming vendors, and (3) certain exclusive contracting practices that the Commission finds not to be in the public interest. We also recognized testimony in the legislative history of the 1992 Cable Act that caused Congress to conclude that vertically integrated program suppliers have the incentive and ability to favor their affiliated cable operators over other multichannel programming distributors. In addition, we also indicated that the Commission previously found anecdotal evidence that some vertically integrated programming suppliers and cable operators may have indeed used anticompetitive actions against other programming services and competing multichannel providers.

Your constituent's comments will be placed in the official record of MM Docket 92-265, so that they will receive full consideration prior to any action the Commission takes to implement these provisions of the 1992 Cable Act.

Sincerely,

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Roy J. Stewart  
Roy J. Stewart  
Chief, Mass Media Bureau

# Congressional

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 03/17/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9301195	03/17/93	03/10/93	04/06/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	John Danforth	BC

CONSTITUENT'S NAME	SUBJECT
Darrel Rinne	Inquiry on cable matters

- Sec 19, 92 Cable Act

REF TO	REF TO	REF TO	REF TO
MMB	Erf	Co. I	

DATE	DATE	DATE	DATE
03/17/93	3-17-93	3-18	

REMARKS:

OFFICE OF CHIEF

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*CAN*  
**United States Senate** *1195*

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

March 10, 1993

Mr. Stephen Klitzman  
Associate Director, Legislative Affairs  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Klitzman:

Enclosed is a copy of a letter that was sent to me by Mr. Darrel Rinne of Higginsville, Missouri. Mr. Rinne is concerned about the program access provision in the Cable Act of 1992.

Please take his concern into account when implementing the program access provision of the new law.

Thank you for your consideration.

Sincerely,

*John C. Danforth*  
John C. Danforth

Enclosure

# **West Central Electric Cooperative inc.**

P.O. BOX 452  
HIGGINSVILLE, MISSOURI 64037  
816-584-2131

February 1, 1993

The Honorable John C. Danforth  
249 Russell Senate Office Bldg.  
Washington, D. C. 20510

Dear Senator Danforth:

I am writing to express my concern about the Federal Communications Commission's Notice of Proposed Rule Making (NPRM), specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

As you know, home satellite dish owners in Missouri have been paying discriminatorily high rates for much of the programming they receive. The cost for this programming to dish distributors is, on the average, five times more than what cable operators pay for it.

The cable bill's Section 19 provided programming access provisions to stop the cable industry's price gouging. When the bill passed, we thought the unfair pricing would come to an end.

The FCC seems to have had some difficulty understanding Congress' intentions regarding the cable bill. You charged the FCC to issue rules that will encourage competition in the video marketplace by bringing an end to already-existing monopolistic pricing practices of many cable-owned programmers. Despite this clear mandate, the FCC issued an NPRM that doesn't even admit that price discrimination exists.

I urge you to review the NPRM issued by the FCC on Dec. 24. I hope you will encourage the FCC to completely fulfill their duty to you and the citizens of the nation by issuing regulations which will encourage competition and end unfair pricing.

Thank you for your support.

Sincerely,

*Darrel Rinne*

Darrel Rinne  
General Manager